

October 23, 2007

Via facsimile: 212-805-7901  
(2 pages)

Honorable Harold Baer, Jr.  
United States District Judge  
United States District Court  
Southern District of New York  
New York, NY 10007

<b>USDS SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> <b>DOC #:</b> _____ <b>DATE FILED:</b> 10/31/07
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OCT 23 2007

HAROLD BAER  
U.S. DISTRICT JUDGE  
S. D. N.Y.

**RE: PT JAWA TIRTAMARIN V.  
PT PERTALAHAN**  
Docket No.: 07 CV 6837  
Our File No.: 29582-JAS/CMP

Dear Judge Baer:

We are attorneys for Plaintiff with respect to the captioned matter. Following our telephone conversation today with Mr. Hanna of your chambers we write to advise the Court of the present status.

Plaintiff commenced this matter seeking to attach funds and property of the Defendant located in the Southern District pursuant to Rule B of the Supplemental Admiralty & Maritime Rules and in aid of enforcing a foreign arbitral award. Plaintiff has now attached \$905,103.73, the full amount prayed for in the Complaint. Defendant has been notified and is fully aware of the attachments and this lawsuit. In fact, it has written directly to the Court on three occasions.

Plaintiff's intention is to move for entry of default and for default judgment enforcing the abovementioned arbitration award immediately upon completion of service pursuant to Fed. R. Civ. P. Admiralty & Maritime Rule B(2)(a) and Rule 4. Plaintiff has arranged for service of process issuing from the S.D.N.Y. Clerk's Office by Federal Express pursuant to Rule 4(f)(2)(C)(ii) and Rule 4(h)(2) and by hand in accordance with the laws of Indonesia and pursuant to Rule 4(f)(2)(A) and Rule 4(h)(2). It is expected that both forms of service shall be effected within the next week.

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We thank the Court for its continuing attention to this matter.

Respectfully submitted,

HILL RIVKINS & HAYDEN LLP

*Christopher M. Panagos*  
Christopher M. Panagos

cc:

via email: [taufik@bhm-corp.com](mailto:taufik@bhm-corp.com)  
Mr. Taufik Karmadi  
PT Pertalahan Arnebatara Natuna  
Defendant

*I have little or no understanding of the 10/22 & 10/23 communications from what I presume is your discussion but the talk about the 10/22 & 10/23 communications from me some and the court's decision that Mr Karmadi will have to send on American lawsuit to tell me his court or may be I enter a judgment against him as I see that I will reach him as he has some changes.*

SO ORDERED:  
*[Signature]*  
Harold Baer, Jr., U.S.D.J.  
Date: 10/30/07

Endorsement:

I have little or no understanding of the 10/22 and 10/23 communications from what I presume is your adversary but the talk about the government of Indonesia and the government bank gives me some pause - the likelihood is that Mr. Karmadi will have to find an American lawyer to tell me his clients story before I enter a default or maybe you can convince me I don't need that help but meanwhile be sure this reaches him so he can respond with some clarity if he chooses.